

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 505

To amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1993

Mr. DARDEN introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Relief for Older Work-  
5        ers Act of 1991”.

1 **SEC. 2. REPEAL OF PROVISIONS RELATING TO DEDUC-**  
2 **TIONS ON ACCOUNT OF WORK.**

3 (a) IN GENERAL.—Subsections (b), (c)(1), (d), (f),  
4 (h), (j), and (k) of section 203 of the Social Security Act  
5 (42 U.S.C. 403) are repealed.

6 (b) CONFORMING AMENDMENTS.—Section 203 of  
7 such Act (as amended by subsection (a)) is further amend-  
8 ed—

9 (1) in subsection (c), by redesignating such sub-  
10 section as subsection (b), and—

11 (A) by striking “NONCOVERED WORK  
12 OUTSIDE THE UNITED STATES OR” in the  
13 heading;

14 (B) by redesignating paragraphs (2), (3),  
15 and (4) as paragraphs (1), (2), and (3), respec-  
16 tively;

17 (C) by striking “For purposes of para-  
18 graphs (2), (3), and (4)” and inserting in lieu  
19 thereof “For purposes of paragraphs (1), (2),  
20 and (3)”; and

21 (D) by striking the last sentence;

22 (2) in subsection (e), by redesignating such sub-  
23 section as subsection (c), and by striking “sub-  
24 sections (c) and (d)” and inserting “subsection (b)”;

25 (3) in subsection (g), by redesignating such  
26 subsection as subsection (d), and by striking “sub-

1 section (c)” each place it appears and inserting  
2 “subsection (b)”;

3 (4) in subsection (i), by redesignating such sub-  
4 section as subsection (e), and by striking “sub-  
5 section (b), (c), (g), or (h)” and inserting “sub-  
6 section (b) or (d)”;

7 (5) in subsection (l), by redesignating such sub-  
8 section as subsection (f), and by striking “subsection  
9 (g) or (h)(1)(A)” and inserting “subsection (d)”.

10 (c) CONFORMING AMENDMENTS TO OTHER PROVI-  
11 SIONS.—

12 (1) PROVISIONS RELATING TO BENEFITS TER-  
13 MINATED UPON DEPORTATION.—Section 202(n)(1)  
14 of such Act (42 U.S.C. 402(n)(1)) is amended by  
15 striking “Sections 203 (b), (c), and (d)” and insert-  
16 ing “Section 203(b)”.

17 (2) PROVISIONS RELATING TO EXEMPTIONS  
18 FROM REDUCTIONS BASED ON EARLY RETIRE-  
19 MENT.—

20 (A) Section 202(q)(5)(B) of such Act (42  
21 U.S.C. 402(q)(5)(B)) is amended by striking  
22 “section 203(c)(2)” and inserting “section  
23 203(b)(1)”.

24 (B) Section 202(q)(7)(A) of such Act (42  
25 U.S.C. 402(q)(7)(A)) is amended by striking

1 “deductions under section 203(b), 203(c)(1),  
2 203(d)(1), or 222(b)” and inserting “deduc-  
3 tions on account of work under section 203 or  
4 deductions under section 222(b)”.

5 (3) PROVISIONS RELATING TO EXEMPTIONS  
6 FROM REDUCTIONS BASED ON DISREGARD OF CER-  
7 TAIN ENTITLEMENTS TO CHILD’S INSURANCE BENE-  
8 FITS.—

9 (A) Section 202(s)(1) of such Act (42  
10 U.S.C. 402(s)(1)) is amended by striking  
11 “paragraphs (2), (3), and (4) of section 203(c)”  
12 and inserting “paragraphs (1), (2), and (3) of  
13 section 203(b)”.

14 (B) Section 202(s)(3) of such Act (42  
15 U.S.C. 402(s)(3)) is amended by striking “The  
16 last sentence of subsection (c) of section 203,  
17 subsection (f)(1)(C) of section 203, and sub-  
18 sections” and inserting “Subsections”.

19 (4) PROVISIONS RELATING TO SUSPENSION OF  
20 ALIENS’ BENEFITS.—Section 202(t)(7) of such Act  
21 (42 U.S.C. 402(t)(7)) is amended by striking “Sub-  
22 sections (b), (c), and (d)” and inserting “Subsection  
23 (b)”.

24 (5) PROVISIONS RELATING TO BENEFITS IN-  
25 CREASED ON ACCOUNT OF DELAYED RETIRE-

1       MENT.—Section 202(w)(2)(B)(ii) of such Act (42  
2       U.S.C. 402(w)(2)(B)(ii)) is amended by striking “or  
3       203(c)”.

4           (6) PROVISIONS RELATING TO REDUCTIONS IN  
5       BENEFITS BASED ON MAXIMUM BENEFITS.—Section  
6       203(a)(3)(B)(iii) of such Act (42 U.S.C.  
7       403(a)(3)(B)(iii)) is amended by striking “and sub-  
8       sections (b), (c), and (d)” and inserting “and sub-  
9       section (b)”.

10          (7) PROVISIONS RELATING TO PENALTIES FOR  
11       MISREPRESENTATIONS CONCERNING EARNINGS FOR  
12       PERIODS SUBJECT TO DEDUCTIONS ON ACCOUNT OF  
13       WORK.—Section 208(a)(3) of such Act (42 U.S.C.  
14       408(a)(3)) is amended by striking “under section  
15       203(f) of this title for purposes of deductions from  
16       benefits” and inserting “under section 203 for pur-  
17       poses of deductions from benefits on account of  
18       work”.

19          (8) PROVISIONS TAKING INTO ACCOUNT EARN-  
20       INGS IN DETERMINING BENEFIT COMPUTATION  
21       YEARS.—Clause (I) in the next to last sentence of  
22       section 215(b)(2)(A) of such Act (42 U.S.C.  
23       415(b)(2)(A)) is amended by striking “no earnings  
24       as described in section 203(f)(5) in such year” and  
25       inserting “no wages, and no net earnings from self-

1 employment (in excess of net loss from self-employ-  
2 ment), in such year”.

3 (9) PROVISIONS RELATING TO ROUNDING OF  
4 BENEFITS.—Section 215(g) of such Act (42 U.S.C.  
5 415(g)) is amended by striking “and any deduction  
6 under section 203(b)”.

7 (10) PROVISIONS RELATING TO EARNINGS  
8 TAKEN INTO ACCOUNT IN DETERMINING SUBSTAN-  
9 TIAL GAINFUL ACTIVITY OF BLIND INDIVIDUALS.—  
10 The second sentence of section 223(d)(4) of such  
11 Act (42 U.S.C. 423(d)(4)) is amended by striking  
12 “the exempt amount under section 203(f)(8) which  
13 is applicable to individuals described in subpara-  
14 graph (D) thereof” and inserting the following: “an  
15 amount equal to the exempt amount which would  
16 have been applicable under section 203(f)(8), to in-  
17 dividuals described in subparagraph (D) thereof, if  
18 the Relief for Older Workers Act of 1991 had not  
19 been enacted”.

20 (11) PROVISIONS DEFINING INCOME FOR PUR-  
21 POSES OF SSI.—Section 1612(a) of such Act (42  
22 U.S.C. 1382a(a)) is amended—

23 (A) by striking “as determined under sec-  
24 tion 203(f)(5)(C)” in paragraph (1)(A) and in-

1           serting “as defined in the last two sentences of  
2           this subsection”; and

3                   (B) by adding at the end (after and below  
4           paragraph (2)(F)) the following new sentences:

5   “For purposes of paragraph (1)(A), the term ‘wages’  
6   means wages as defined in section 209, but computed  
7   without regard to the limitations as to amounts of remuneration specified in subsections (a), (g)(2), (g)(3), (h)(2),  
8   and (j) of such section. In making the computation under  
9   the preceding sentence, (A) services which do not constitute employment as defined in section 210, performed  
10   within the United States by an individual as an employee  
11   or performed outside the United States in the active military or naval services of the United States, shall be  
12   deemed to be employment as so defined if the remuneration for such services is not includible in computing the  
13   individual’s net earnings or net loss from self-employment  
14   for purposes of title II, and (B) the term ‘wages’ shall  
15   be deemed not to include (i) the amount of any payment  
16   made to, or on behalf of, an employee or any of his or  
17   her dependents (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement, or  
18   (ii) any payment or series of payments by an employer  
19   to an employee or any of his or her dependents upon or  
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1 after the termination of the employee's employment rela-  
2 tionship because of retirement after attaining an age spec-  
3 ified in a plan referred to in section 209(m)(2) or in a  
4 pension plan of the employer.”.

5 (12) REPEAL OF DEDUCTIONS ON ACCOUNT OF  
6 WORK UNDER THE RAILROAD RETIREMENT PRO-  
7 GRAM.—Section 2 of the Railroad Retirement Act of  
8 1974 (45 U.S.C. 231a) is amended by striking sub-  
9 sections (f) and (g)(2).

10 **SEC. 3. EFFECTIVE DATE.**

11 The amendments and repeals made by this Act shall  
12 be effective with respect to taxable years ending on and  
13 after the date of the enactment of this Act.

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